

Nebraska Information Technology Commission

--Education Council Charter--

1. Introduction

The Education Council (hereafter referred to as "Council") of the Nebraska Information Technology Commission (hereafter referred to as "Commission") is a 16-member advisory committee of the Commission composed of representatives from K-12, postsecondary education, and four state agencies. The Council was originally formed by Executive Order 97-7 in November 1997 to identify, prioritize, and coordinate user needs with respect to educational information technology. The Council first met on March 12, 1998 and has conducted monthly or bimonthly meetings since.

2. Purpose of Charter

The purpose of this charter is to provide operational guidance to the Council members, clarify its relationship to the Commission, and to provide general information to all who read the proceedings and recommendations of the Council.

3. Authority

The Commission shall: "Establish ad hoc technical advisory groups to study and make recommendations on specific topics, including work groups to establish, coordinate, and prioritize needs for education, local communities, and state agencies[.]" NEB. REV. STAT. § 86-516 (7).

"Information technology means computing and telecommunications systems, their supporting infrastructure, and interconnectivity used to acquire, transport, process, analyze, store, and disseminate information electronically." NEB.REV.STAT. § 86-507

4. Commission Responsibilities and Mission

4.1 Commission Mission

"The mission of the Nebraska Information Technology Commission is to make the State of Nebraska's investment in information technology infrastructure more accessible and responsive to the needs of its citizens regardless of location while making government, education, health care and other services more efficient and cost effective."

<http://www.nitc.state.ne.us/> <http://www.nitc.nebraska.gov/nitc/about.html>

4.2 Commission Responsibilities (Neb. Rev. Stat. § 86-516):

4.2.1 Annually by July 1, adopt policies and procedures used to develop, review, and annually update a statewide technology plan;

4.2.2 Create an information technology ~~information~~ clearinghouse to identify and share best practices and new developments, as well as identify existing problems and deficiencies;

4.2.3 Review and adopt policies to provide incentives for investments in information technology infrastructure services;

4.2.4 Determine a broad strategy and objectives for developing and sustaining information technology development in Nebraska, including long-range funding strategies, research and development investment, support and maintenance requirements, and system usage and assessment guidelines;

4.2.5 Adopt guidelines regarding project planning and management ~~– information sharing~~, and administrative and technical review procedures involving state-owned or state-supported technology and infrastructure. Governmental entities, state agencies, and noneducation political subdivisions shall submit all projects ~~that directly utilize state appropriated~~ which use an combination of general funds, federal funds, or cash funds for information technology purposes to the process established by ~~NEB. REV. STAT. §§sections 86-512 to 86-524. Governmental entities and political subdivisions may submit other projects involving information technology to the Commission for comment, review, and recommendations;~~ The commission may adopt policies that establish the format and minimum requirements for project submissions. The commission may monitor the progress of any such project and may require progress reports;

4.2.6 Adopt minimum technical standards, guidelines, and architectures upon recommendation by the technical panel, ~~created in NEB. REV. STAT. §86-521~~ Such standards and guidelines shall not unnecessarily restrict the use of new technologies or prevent commercial competition, including competition with Network Nebraska;

4.2.7 Establish ad hoc technical advisory groups to study and make recommendations on specific topics, including workgroups to establish, coordinate, and prioritize needs for education, local communities, and state agencies;

4.2.8 By November 15 of each even-numbered year, ~~M~~make recommendations on technology investments to the Governor and the Legislature, including a prioritized list of projects, reviewed by the technical

~~panel, for which new or additional funding is requested pursuant to section 86-521;~~

4.2.9 Approve grants from the Community Technology Fund and Government Technology Collaboration Fund; ~~and~~

4.2.10 Adopt schedules and procedures for reporting needs, priorities, and recommended projects;

4.2.11 Assist the Chief Information Officer in developing and maintaining Network Nebraska pursuant to section 86-5,100; and

4.2.12 Determine the format that state agencies, boards, and commissions shall use to report their technology plans under section 86-524.01. The commission shall include an analysis of such plans in the statewide technology plan.

5. Education Council Mission and Responsibilities

5.1 Council Mission

The mission of the Council is to advise the Commission concerning education information technology needs, goals, and policy. The Council will identify, coordinate, and prioritize matters pertaining to information technology for a more strategic and cost-effective approach to developing the State's education information technology infrastructure.

5.2 Council Responsibilities:

5.2.1 Identify and prioritize education needs that could be met in a more cost-effective manner through the use of information technology;

5.2.2 Report needs, priorities, and recommended projects to the Commission in the manner determined by the Commission;

5.2.3 Assist the Commission in developing, reviewing and updating the statewide technology plan;

5.2.4 Recommend policies and guidelines for acceptable and cost-effective use of information technology in education;

5.2.5 Establish such subcommittees, task forces, or working groups as necessary and appropriate to advise the council on matters including coordination of technology initiatives, information technology operations, information management, data administration, and technology planning and training;

5.2.6 Encourage research on the effects of technology on learning and learner cognition;

5.2.7 Promote equitable use and access to technology throughout the education community;

5.2.8 Communicate information developed under Section 5.2 of this charter to education constituents through methods such as the information technology ~~information~~ clearinghouse; and

5.2.9 Such other responsibilities as directed by the Commission.

6. Membership

6.1 Number of Members

The Council ~~has~~ shall have 16 members, eight representing the K-12 sector, eight representing the postsecondary sector, and four non-voting ex officio representatives ~~of~~ from the Department of Education, the Coordinating Commission for Postsecondary Education, the Department of Administrative Services, and the Nebraska Educational Telecommunications Commission.

6.2 Sector Representation

6.2.1 K-12 Representation

6.2.1.1 Teachers--private schools (1), as recommended by the Board of the Nebraska Council of American Private Education; and public schools (2), as recommended by the Executive Officer of the Nebraska State Education Association.

6.2.1.2 Administrators (2), as recommended by the Executive Officer of the Nebraska Council of School Administrators.

6.2.1.3 Educational Service Units (2), as recommended by the Executive Officer of the Educational Service Unit Coordinating Council.

6.2.1.4 Boards of Education (1), as recommended by the Executive Officer of the Nebraska Association of School Boards.

6.2.2 Postsecondary Representation

6.2.2.1 State Colleges (2), as recommended by the Chancellor of the State College System.

6.2.2.2 Independent Colleges and Universities (2), as recommended by the Executive Officer of the Association of Independent Colleges and Universities of Nebraska.

6.2.2.3 Community Colleges (2), as recommended by the Executive Officer of the Nebraska Community College System

6.2.2.4 University of Nebraska System (2), as recommended by the President of the University of Nebraska System

6.2.3 Non-voting Ex Officio Representation

6.2.3.1 Department of Education (1)

6.2.3.2 Coordinating Commission for Postsecondary Education (1)

6.2.3.3 Department of Administrative Services (1)

6.2.3.4 Nebraska Educational Telecommunications Commission (1)

6.3 Member Responsibilities

Each member is responsible for maintaining two-way communication with their sector constituents concerning issues brought before the Council. Each member is responsible for attending the meetings of the Education Council or alerting his/her voting alternate to attend in their absence.

6.4 Change in Membership

If a change in membership becomes necessary due to resignation, removal, or change of job status, the sub-sector or agency represented is responsible for nominating or recommending the replacement member to the Council. The nomination will then be recommended by a simple majority of the Council members present and forwarded to the Commission for approval.

6.5 Length of Service

The current members will serve until June 30, 2001, with subsequent two-year staggered terms expiring on June 30 of each year. There is no limit to the number of consecutive terms that can be served.

One-half of the K-12 and one-half of the postsecondary members' terms shall expire on even numbered years and one-half of the K-12 and one-half of the postsecondary members' terms shall expire on odd numbered years.

6.6 Conflict of Interest

A Member with a potential conflict of interest in a matter before the Council or a potential interest in a contract with the Council is subject to the provisions of the Nebraska Political Accountability and Disclosure Act including sections 49-1499.02 and 49-14,102. A Member with a potential conflict of interest or a potential interest in a contract shall contact the Nebraska Accountability and Disclosure Commission and take such action as required by law.

7. Meeting Procedures

7.1 Chair(s)

7.1.1 The elected Co-Chairs will conduct the meetings of the Council, oversee the establishment, operation and dissolution of committees, propose meeting agendas, and maintain the general operations of the Council. The Council will follow an informal protocol as defined by *Robert's Rules of Order*.

7.1.2 The Co-Chairs of the Council will serve until June 30, 2001; with subsequent two-year elected terms expiring on June 30 of each year.

7.1.3 One Co-Chair shall be representative of K-12 education and one Co-Chair shall be representative of postsecondary education.

7.2 Quorum and Action Items

An official quorum consists of 8 (50%) of the 16 official members or their alternates. No official voting business may be conducted without an official quorum. Issues shall be decided by a majority vote of the voting members present.

7.3 Designated Alternates and Non-voting Alternates

7.3.1 Each member of the Council shall designate one (1) official alternate. This official voting alternate shall be registered with the Office of the Chief Information Officer and NITC and, in the absence of the official member, have all the privileges as the official member on items of discussion and voting.

7.3.2 If the official member and the member's official alternate are unable

to attend a Council meeting either in person or electronically, then the sub-sector affected may send a non-voting alternate to gather or share information.

7.4 Meeting Frequency

The Council shall meet not fewer than four times per year (quarterly). As a general rule, the Council shall attempt to meet bimonthly (every other month), except in conditions of extreme circumstances.

7.5 Subcommittees

The Council may, as it deems necessary, form task forces, teams, work groups, and special, ad hoc, and standing subcommittees to carry out its mission and responsibilities. Each time a new subcommittee is formed under the Council, the following seven sections must be decided and assigned within 30 days of formation.

7.5.1 Authority

The authority of any subcommittee of the Council is obtained and assigned through an official motion of the Commission and/or Council.

7.5.2 Goals

The Co-Chairs of the Council assign the goals of any subcommittee of the Council.

7.5.3 Charge

The Council delivers the charge to the subcommittee, which includes a monthly progress report back to the Council at its regular meeting.

7.5.4 Membership

The membership of each subcommittee of the Council shall be determined by appointment, election, or volunteerism, whichever means is most suitable to the Council. The subcommittees may include members from outside the Council as resource persons, as determined by the Council. The number of members on any subcommittee shall be fewer than a quorum of the members of the Council (<8).

7.5.5 Leadership

Each subcommittee of the Council shall have a single chair to provide leadership. The Co-Chairs of the Council may appoint this person, if the Co-

Chairs desire, or the majority of the subcommittee may elect this person.

7.5.6 Duration

The Council shall assign each subcommittee a specific duration to complete its charge. At the conclusion of the duration and delivery of its charge, the subcommittee shall be dissolved. If the subcommittee requires a longer duration than has been assigned, the chair of the subcommittee shall request an extension or renewed duration.

7.5.7 Process

The subcommittees charged by the Council may conduct their own meetings and forums away from the Council's regular monthly meetings. The chair of the subcommittee must inform the Office of the CIO-NITC of the date, time, and location of additional meetings.

7.5.8 Open Meetings

"Sections 84-1408 to 84-1414 of the Open Meetings Law shall not apply to subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body..."

7.6 Expense Reimbursement

81-1182.01 "Any department, agency, Commission, council, committee, or board of the state may pay for the reasonable and necessary expenses for the recruitment, training, utilization, and recognition of volunteers providing services to the state and certain providers of services as established by the Director of Administrative Services."

7.6.1 NAS Policy CONC-005

"Volunteers shall mean those persons providing services to the State who are not being compensated for their time."

7.6.2 Request for Reimbursement

Council members needing reimbursement must submit a signed request to the Office of the CIO-NITC using the official state accounting forms.

7.7 Open Meeting Laws and Public Notice

It is the policy of the State of Nebraska that the formation of public policy is public business and may not be conducted in secret. Every meeting of a

public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies.

7.7.1 Advance Notice

The Council shall give reasonable advance publicized notice of the time, place, and agenda of each meeting through the use of its web page, ~~<http://www.nitc.state.ne.us/>~~ <http://www.nitc.nebraska.gov/>. The agenda will also be available for public inspection during normal business hours at the Office of the CIO-NITC, 501 S. 14, 4th Floor, P.O. Box 95045, Lincoln, Nebraska 68509-5045. The Council will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order of items if necessary and may elect to take action on any of the items listed.

7.7.2 Videoconferencing Meetings

Videoconferencing Meetings of the Council may be held by means of videoconferencing if: reasonable advance publicized notice is given; reasonable arrangements are made to accommodate the public's right to attend, hear, and speak; at least one copy of all documents being considered is available at each site; one member of the council is present at each site of the videoconference; and no more than one-half of the Council's meetings in a calendar year are held by videoconference.

7.7.3 Rights of the Public

It is not a violation for the Council to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking, reporting, videotaping, photographing or recording its meetings. The Council may not forbid public participation at all meetings but may not be required to allow citizens to speak at each meeting. The Council shall not require members of the public to identify themselves as a condition for admission to the meeting but may do so as a condition for addressing the Council.

7.7.4 Minutes and Voting

The Council shall keep minutes of all meetings showing the time, place, members present and absent and the substance of all matters discussed. Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the Council in open session, and the record shall state how each member voted or if the member was absent or not voting. The roll call shall be called on a rotational basis. Minutes shall be written and available for inspection within 10 working days or prior to the next convened meeting, whichever occurs earlier.

Charter Approved by the Nebraska Information Technology Commission on June 29, 1999.

Amendments approved by the NITC on:

06/22/2000

06/13/2001

01/27/2006

11/15/2011